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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,721	03/24/2004	Helmuth Eggers	3926.079	3699

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EXAMINER

HOLT, DAVID L

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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02/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/807,721

Applicant(s)

EGGERS ET AL.

Examiner

David Holt

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 07/27/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 9-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Toffolo et al., U.S. Patent 5,757,268.

1. Toffolo et al., U.S. Patent 5,757,268, in view of Menig et al., U.S. Patent 6,289,332.

Claim 9, a process for displaying a variety of image data on a vehicle display, comprises the following limitations, all taught by Toffolo:

- prioritizing system information from multiple systems on the basis of operating parameters ("This invention relates to a reconfigurable information display for a vehicle wherein information items to be displayed are assigned priority, and displayed based upon the priority and available space." '268 Patent, col. 1, lines 5-8. "Finally, each item is preferably assigned a necessary or optional indication. As an example, speed display is indicated as necessary, since speed must be displayed. Other information may have a lower priority. Vehicle radio information may be generally optional. However, if the operator is adjusting a radio parameter, then the priority of the parameter being adjusted may move upward relative to other less

necessary information." '268 Patent, col. 2, lines 41-48. Therefore, depending on the operations of the driver, each item is assigned a priority.)

- modifying a display of the image data to be depicted on the vehicle display on the basis of the result of the prioritization (" . . . information to be displayed on a vehicle reconfigurable display" '268 Patent, Abstract.)
- wherein multiple image data associated with the prioritized system information is displayed simultaneously (As illustrated in Fig. 1B, multiple prioritized images are displayed simultaneously. '268 Patent, Fig. 1B.)
- wherein the display parameters of the image data are varied in size and/or position and/or shape on the basis of their prioritization ("The control then recalculates the size and position for each item to be displayed. The group and preferred location identified with each item operate to assist in selecting the desired location for each item." '268 Patent, col. 2-3, lines 65 & 1-3. Furthermore, as shown in Fig. 1B the different images take different shapes. Speed, fuel, and temp are circular, while the odometer is rectangular.)

Claim 10 further comprises the following limitations, all taught by Toffolo:

- the depiction of different image data on the vehicle display occurs in the form of a status display ('268 Patent, Fig. 1B, display panel 22. Among other things the display panel 22 can display be configured with "user-selected optional images indicative of operational status of vehicle accessories." '268 Patent, col. 10, lines 59-61.)

Claim 11 further comprises the following limitations, all taught by Toffolo:

- with regard to at least one system information the size-describing image parameter of the associated image data corresponds to the size of the full image, and wherein the size of a full image corresponds to the greater part of the usable size of the display ("Each item to be displayed is also assigned a minimum display size, although other optional sizes may be available." '268 Patent, col. 2, lines 10-12. Furthermore, " information items . . . [are] displayed based upon the priority and available space." '268 Patent, col. 1, lines 6-8. Since the size is based on that available, the parameter indicating size would inherently correspond to the usable size of the display.)

Claim 12 further comprises the following limitations, all taught by Toffolo:

- at least one image or display parameter of the image data associated with the system information describes a position within a partial screen (Each of displays 22 and 24 are a partial screen of the total display system, and, as described above, each display image is given a position within one of these screens.)

Claim 13 further comprises the following limitations, all taught by Toffolo:

- at least one image or display parameter of the image data associated with the system information describes a position within a status line (" . . . operational information items, such as speed 28, fuel level 30, engine temperature 32, and the odometer 34. It is preferred that this operational grouping be maintained near a set location on the display panel 22, typically, near the left of the display panel." '268 Patent, col. 4, lines 34-37. This grouping, as shown in Fig. 1B, is equivalent to a status line, since the informational items are in fact in a line and depict the operational status of the vehicle.)

Claim 14 further comprises the following limitations, all taught by Toffolo:

- image data associated with the system information is in the form of a symbol ('286 Patent, Fig. 1B, speed 28, fuel level 30, engine temperature 32. These operational information items are displayed as dials. A dial is a form of a symbol.)

Claim 15 further comprises the following limitations, all taught by Toffolo:

- image data associated with the system information is in text form ("A low fuel warning 62 is shown in the approximate center of the display." '268 Patent, col. 8, lines 1-2. This low fuel warning is depicted by the text "EMPTY.")

Claim 16 further comprises the following limitations, all taught by Toffolo:

- all the various image data are simultaneously depicted (As shown in Fig. 1B, the various images are shown simultaneously.)

Conclusion

Application/Control Number:
10/807,721
Art Unit: 2622

Page 6

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Holt whose telephone number is (571) 270-3227. The examiner can normally be reached on Monday - Friday, 7:30 a.m. - 4:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DLH 02/19/2008


NGOCYEN VU
SUPERVISORY PATENT EXAMINER